

**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
September 3, 2008

**PRESENT:** Mayor Reed, Vice Mayor Cortese and Council Members Chirco and Constant.

**ABSENT:** None.

**STAFF:** City Attorney Richard Doyle, Assistant City Manager Christine Shippey, Assistant City Clerk Dennis Hawkins, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Norberto Duenas, Senior Executive Analyst Vilcia Rodriguez, Council Agenda Manager Alicia Bosco and Legislative Secretary Susan Davis.

**A. City Council**

**1. Review of September 9, 2008 Final Agenda.**

Action: The Committee approved the September 9, 2008 City Council Draft Agenda with the following change:

- Item 9.1, Design and Construction and Transfer of the Proposed Edenvale Community Center was deferred to 9/23/08.

**2. Review of September 16, 2008 Draft Agenda.**

Action: The Committee approved the September 16, 2008 City Council Draft Agenda with the following changes and additions:

- The Employment Lands Study Session scheduled at 7:00 p.m. was canceled.
- Presentation of a proclamation declaring September 15-21, 2008 as "Pollution Prevention Week" in the City of San José and presentation of a commendation to the City's Airport Building Services Supervisor and Building Services Team for incorporating exemplary pollution prevention practices into municipal operations. (Mayor)
- Presentation of a commendation to Irene Dalis for her significant contribution in founding Opera San José and presentation of a proclamation declaring September 20, 2008 as "Opera San José Day" in the City of San José. (Mayor)
- Presentation of a proclamation declaring September 22, 2008 as "California Family Day" in the City of San José. (Mayor)

**B. Redevelopment Agency**

**1. Review of September 9, 2008 Final Agenda.**

Action: The Committee approved the cancellation of the September 9, 2008 Final Redevelopment Agency Agenda.

**2. Review of September 16, 2008 Draft Agenda.**

Action: The Committee approved the September 16, 2008 Draft Redevelopment Agency Agenda.

**C. Legislative Update**

**1. State**

Documents Filed: Memorandum from Director of Intergovernmental Relations Betsy Shotwell, dated August 28, 2008, transmitting the Legislature Update report.

Director of Intergovernmental Relations Betsy Shotwell provided an update of the State Budget and stated that an information memorandum will be distributed this afternoon. She provided a brief overview of the City Sponsored Legislation and the adoption of legislative priorities of 2009.

**2. Federal**

There were no updates.

**D. Meeting Schedules**

None were presented.

**E. The Public Record**

Documents Filed: Memorandum from City Clerk Lee Price, dated August 29, 2008, transmitting items for the Public Record for the period of August 22-28, 2008.

Public Comments: Michael Terrizzi, Law offices of Plastiras & Terrizzi, spoke about Public Record (a), a proposed resolution to consent to an eminent domain proceedings by Ryland Mews HOA of District 3, as a Quasi-Public Entity and requested that be brought forward to the City Council as soon as possible.

**E. (Cont'd.)**

Brian Schmidt spoke about Public Record (c), Santa Clara County Local Agency Formation Commission's (LAFCO) inadequate performance and requested that the City of San José review LAFCO's performance. Vice Mayor Cortese suggested that it is possible to petition the Council on that issue during the appointment process in January 2009.

Assistant Director of Planning, Building, and Code Enforcement Laurel Prevetti stated with regard to Public Record (b), the Planning Commission Annual Report will come back separately and added she will report back to Rules and Open Government after the Planning Commission Meeting on September 10, 2008.

Action: The Committee noted and filed the Public Record, with Public Record (a) to be referred to the City Attorney's Office and Administration.

**F. Appointments to Board, Commissions and Committee**

There were none.

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Accept Staff Report on Employee Campaign/Election Nomination Guidelines.**

Documents Filed: Memorandum from Director of Employee Relations Alex Gurza, dated August 22, 2008, recommending acceptance of the staff report.

Action: The Committee accepted the report with Staff to provide clarification under General Policy, Item (5) pertaining to the members of the retirement system

**2. Recommend a work load analysis for the creation of a waiver process as permitted under Assembly Bill 411.**

Action: This item was dropped per Vice Mayor Cortese.

**H. Review of additions to Council Committee Agenda**

- 1. Community and Economic Development Committee**
- 2. Neighborhood Services and Education Committee**
- 3. Transportation and Environment Committee**
- 4. Public Safety, Finance and Strategic Support Committee**

There were none.

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**I. Open Government Initiatives**

- 1. Reed Reforms**
- 2. Sunshine Reform Task Force**
- 3. Significant Public Records Act Requests**
- 4. Council Policy Manual Update**

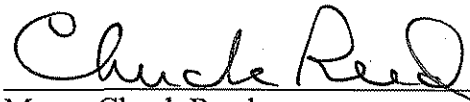
There were none.

**J. Open Forum**

None were presented.

**K. Adjournment**

The meeting was adjourned at 2:32 p.m.



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Mayor Chuck Reed  
Rules and Open Government Committee